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FISCAL IMPACT STATEMENT

LS 7362

BILL NUMBER: HB 1532

NOTE PREPARED: Mar 4, 2003

BILL AMENDED: Mar 3, 2003

SUBJECT: Community Corrections Officers.

FIRST AUTHOR: Rep. Goodin

FIRST SPONSOR: Sen. Ford

BILL STATUS: As Passed - House

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
☐ **FEDERAL**

IMPACT: State & Local

Summary of Legislation: (Amended) This bill has the following provisions:

- (A) It requires the Department of Correction to establish educational, occupational, and salary requirements for community corrections officers.
- (B) It establishes the duties of a community corrections officer.
- (C) It includes a community corrections officer in the definition of public safety officer for purposes of the law concerning regulation of laser pointers.
- (D) It provides that a community corrections advisory board may establish continuing education requirements for community corrections officers.

Effective Date: July 1, 2003.

Explanation of State Expenditures: *Provisions A and B:* The added administrative costs for the Department of Correction (DOC) would likely be minimal.

Explanation of State Revenues: *Provision C:* Under current law, a person who knowingly or intentionally directs light from a laser pointer amplified by the stimulated emission of radiation that is visible to the human eye or any other electromagnetic radiation at a public safety officer commits a Class B misdemeanor.

If additional court cases occur and fines are collected, revenue to both the Common School Fund and the state General Fund would increase. The maximum fine for a Class B misdemeanor is \$1,000. Criminal fines are deposited in the Common School Fund. If the case is filed in a circuit, superior, or county court, 70% of the \$120 court fee that is assessed and collected when a guilty verdict is entered would be deposited in the state General Fund. If the case is filed in a city or town court, 55% of the fee would be deposited in the state

General Fund.

Explanation of Local Expenditures: *Background on Provisions A and B:* Of the 53 community corrections agencies operating in Indiana, DOC reports that 51 of these agencies employed 149 field officers. The average salary for 49 of these agencies reporting was \$25,696.

The Department of Correction also reports that these agencies indicated that the minimum qualifications in some counties was the lack of a felony conviction and a valid drivers license. Several other counties indicated that additional requirements include having a bachelor's degree in human services or criminal justice, a certification as a probation officer within 180 days of employment, and the ability to work weekends and varying work hours.

Provision C: A Class B misdemeanor is punishable by up to 180 days in jail. The average daily cost to incarcerate a prisoner in a county jail is approximately \$44.

Explanation of Local Revenues: *Provision C:* If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$120 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed and, if collected, would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed and, if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected: Department of Correction.

Local Agencies Affected: Trial courts, local law enforcement agencies, counties with community corrections programs.

Information Sources: Survey of all Community Corrections Programs by the Department of Correction, Division of Community Corrections.

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